

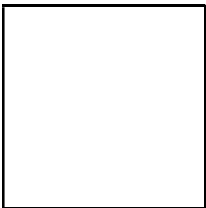
EXHIBIT 1

From: Paven Malhotra <PMalhotra@keker.com>
Sent: Friday, June 21, 2024 7:45 PM
To: Ian B. Crosby; Annette Hurst
Cc: Andrew.Gass@lw.com; Steven Lieberman; jmaisel@rfem.com
Subject: RE: NYT/MS-OAI—Consolidation Motions

Ian,
Thanks for your note below. OAI appreciates your efforts to work through these moving pieces and find ways to litigate the NYT and Daily News cases more efficiently.
That said, moving the existing deadline only two-months is problematic, particularly given the large number of asserted works in the NYT case and a still-to-be determined number of works in the Daily News case (we've asked repeatedly but haven't received the number). OAI proposes extending the fact discovery cut-off in the NYT case to March 2025, which would also apply to the Daily News case.
Happy to discuss next week if you'd like.
Thanks,
--Paven

From: Ian B. Crosby <icrosby@SusmanGodfrey.com>
Sent: Wednesday, June 19, 2024 3:48 PM
To: Annette Hurst <ahurst@orrick.com>; Andrew.Gass@lw.com
Cc: Paven Malhotra <PMalhotra@keker.com>
Subject: Re: NYT/MS-OAI—Consolidation Motions

[EXTERNAL]



The proposal is that all deadlines would be extended by two months.

—[Ian Crosby](#)

From: Hurst, Annette L. <ahurst@orrick.com>
Sent: Wednesday, June 19, 2024 1:55 PM
To: Ian B. Crosby <icrosby@SusmanGodfrey.com>; Andrew.Gass@lw.com <Andrew.Gass@lw.com>
Cc: pmalhotra@keker.com <PMalhotra@keker.com>
Subject: RE: NYT/MS-OAI—Consolidation Motions

EXTERNAL Email

Ian, thank you we appreciate your proposal and we would also like to try to resolve the consolidation/amendment motions by agreement if possible. We are also working on a more detailed deposition coordination proposal that would apply across all cases and hope to be in a position to share that soon.

So that we can evaluate your timing proposal fully with our clients, would you please let us know what you envision for the rest of the deadlines in addition to moving the fact discovery cutoff to mid-November?

Thanks.

Annette

From: Ian B. Crosby <icrosby@SusmanGodfrey.com>
Sent: Tuesday, June 18, 2024 7:08 PM
To: Hurst, Annette L. <ahurst@orrick.com>; Andrew.Gass@lw.com
Subject: Re: NYT/MS-OAI—Consolidation Motions

[EXTERNAL]

This proposal is confirmed. Please LMK if you would like to discuss.

—[Ian Crosby](#)

From: Ian B. Crosby <icrosby@SusmanGodfrey.com>
Sent: Tuesday, June 18, 2024 3:13:34 PM
To: Hurst, Annette L. <ahurst@orrick.com>; Andrew.Gass@lw.com <Andrew.Gass@lw.com>
Subject: Re: NYT/MS-OAI—Consolidation Motions

I hit send on this too soon. Please stand by.

—Ian Crosby • Susman Godfrey LLP

From: Ian B. Crosby
Sent: Tuesday, June 18, 2024 2:48:09 PM
To: Hurst, Annette L. <ahurst@orrick.com>; Andrew.Gass@lw.com <Andrew.Gass@lw.com>
Subject: NYT/MS-OAI—Consolidation Motions

Counsel,

We are in receipt of Defendants' motions to consolidate The New York Times case and the New York Daily News case. To avoid burdening the Court with this issue, as well as with Defendants' opposition to The Times's motion for leave to amend its Complaint, The Times and the New York Daily News plaintiffs propose the following:

1. A single, coordinated discovery schedule that would govern The New York Times case and the New York Daily News case. This schedule would add 2 months to the schedule currently governing The New York Times case.
2. Coordination of depositions across the two cases, to be formalized in a deposition coordination protocol. This coordination would involve, at a minimum, consolidated 30(b)(6) deposition notices to be served on Defendants; depositions of Defendants' witnesses to occur in single sittings; and Defendants' cross-production of documents across the two cases.
3. Coordination of other necessary administrative issues, such as a single protective order and ESI order that would govern in both cases.
4. Defendants would withdraw their motions to consolidate and their opposition to The Times's motion for leave to amend in The Times case.

Please let us know if you would like to set up a call to discuss.

—Ian Crosby • Susman Godfrey LLP

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